

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CASE NO. 3:01-CR-085-MOC-DCK**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**JASON SHERRARD JOHNSON,**

**Defendant,**

**and**

**WAL-MART ASSOCIATES, INC.,**

**Garnishee.**

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**ORDER OF CONTINUING  
GARNISHMENT**

**THIS MATTER IS BEFORE THE COURT** on the Government’s “Motion For Order Of Continuing Garnishment” (Document No. 408) filed December 14, 2022. This motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Having carefully considered the motion and the record, the undersigned will grant the motion.

Judgment in the criminal case was filed on March 13, 2002. (Document No. 182). As part of that Judgment, Jason Sherrard Johnson (“Defendant”) was ordered to pay an assessment of \$1,200.00 and restitution of \$301,331.80 to the victims of the crime. Id.

On August 08, 2022, the Court entered a Writ of Continuing Garnishment (“Writ”) (Document No. 403) to Wal-Mart Associates, Inc. (“Garnishee”). Defendant was served with the Writ on August 15, 2022, and Garnishee was served on August 19, 2022. The Government notes that an amended “Answer...” (Document No. 407) of Garnishee was filed on October 12, 2022.

The Answer states that at the time of the service of the Writ, Garnishee had in its custody, control or possession property or funds owned by Defendant, including non-exempt, disposable earnings. (Document No. 407). Defendant has not requested a hearing, and the statutory time to do so has elapsed.

**IT IS, THEREFORE, ORDERED** that an Order of Continuing Garnishment is hereby ENTERED in the amount of **\$231,413.67** computed through July 28, 2022. Garnishee shall pay the United States up to the lesser of: (1) twenty-five percent (25%) of Defendant's disposable earnings which remain after all deductions required by law have been withheld; or (2) the amount by which Defendant's disposable earnings for each week exceed thirty (30) times the federal minimum wage. See 15 U.S.C. § 1673(a). Garnishee shall continue payments until the debt to Plaintiff is paid in full or until Garnishee no longer has custody, possession or control of any property belonging to Defendant, or until further Order of this Court.

Payments should be made payable to the United States Clerk of Court and mailed to:

Clerk of the United States District Court  
401 West Trade Street  
Charlotte, North Carolina 28202

In order to ensure that each payment is credited properly, the following should be included on each check: Court Number DNCW3:01CR85-4.

**IT IS FURTHER ORDERED** that Garnishee will advise this Court if Defendant's employment is terminated at any time by Garnishee or Defendant.

Plaintiff will submit this debt to the Treasury for inclusion in the Treasury Offset Program. Under this program, any federal payment Defendant would normally receive may be offset and applied to this debt.

**SO ORDERED.**

Signed: December 15, 2022

A handwritten signature in black ink, appearing to read "D.C. Kessler", is written over a horizontal line.